Exhibit B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVEN E. GREER, **MD**

Plaintiff;

v.

Dennis Mehiel, an individual **Robert Serpico**, an individual, **The Battery Park City Authority**, a New York State authority, **Howard Milstein**, an individual, **Steven Rossi**, an individual, **Janet Martin**, an individual, **Milford Management**, a New York corporation, and **Mariners Cove Site B Associates**, a New York corporation.

Defendants.

CIVIL ACTION NO.

15-CV-6119 (AJN)(JLC)

PLAINTIFF'S SECOND RESPONSES and OBJECTIONS to DEFENDANTS' FIRST REQUEST for DOCUMENTS

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PLAINTIFF'S RESPONSES AND OBJECTIONS TO DEFENDANTS' FIRST REQUEST for DOCUMENTS

TO: Defendants Robert Serpico and The Battery Park City Authority, by and through their attorney of record, Michael Tremonte of Sher Tremonte LLP, located at 80 Broad Street, 13th Floor, New York, NY 10004.

Plaintiff Steven Greer ("Plaintiff") serves these second set of Objections and Responses to Defendants' First Set of Requests for Production under Federal Rule of Civil Procedure 34.

GENERAL OBJECTIONS

Plaintiff objects to each Request: (1) insofar as it calls for the production of documents not in Plaintiff's possession, custody, or control; (2) insofar as it calls for the production of documents that were prepared for or in anticipation of litigation, constitute attorney work product, contain attorney-client communications, or are otherwise privileged; (3) insofar as it calls for the production of documents which are publicly available or otherwise equally available and/or uniquely available or equally available from third parties; (4) insofar as it calls for the production of documents that do not specifically refer to the events which are the subject matter of this litigation; and (5) insofar as it calls for the production of documents which are neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible evidence.

The inadvertent production or disclosure of any privileged documents or information shall not constitute or be deemed to be a waiver of any applicable privilege with respect to such document or information (or the contents or subject matter thereof) or with respect to any other such document or discovery now or hereafter requested or provided. Plaintiff reserves the right not to produce documents that are in part protected by privilege, except on a redacted basis, and to require the return of any document (and all copies thereof) inadvertently produced. Plaintiff likewise does not waive the right to object, on any and all grounds, to (1) the evidentiary use of documents produced in response to these requests; and (2) discovery requests relating to those documents.

Plaintiff submits these responses and objections without conceding the relevancy or materiality of the subject matter of any request or of any document, or that any responsive materials exist.

Plaintiff's responses and objections are not intended to be, and shall not be construed as, agreement with Plaintiff's characterization of any facts, circumstances, or legal obligations. Plaintiff reserves the right to contest any such characterization as inaccurate. Plaintiff also objects to the Requests to the extent they contain any express or implied assumptions of fact or law concerning matters at issue in this litigation.

The responses and objections contained herein are made on the basis of information now known to Plaintiff and are made without waiving any further objections to or admitting the relevancy or materiality of any of the information requested. Plaintiff's investigation, discovery and preparation for proceedings are continuing and all answers are given without prejudice to Plaintiff's right to introduce or object to the discovery of any documents, facts or information discovered after the date hereof.

Plaintiff will provide its responses based on terms as they are commonly understood, and consistent with the Federal Rules of Civil Procedure. Plaintiff objects to and will refrain from extending or modifying any words employed in the requests to comport with expanded definitions or instructions.

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION

REQUEST No. 1:

All documents concerning any of the individuals listed on page 3 of Plaintiff's Initial Disclosures pursuant to FRCP 26(a), dated November 1, 2016 (the "Plaintiff's Initial Disclosures").

RESPONSE:

Plaintiff objects to Request for Production No. 1 on the grounds that it is overly broad and unduly burdensome because, among other reasons, it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

> "The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…
>
> All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

REQUEST No. 2:

All documents, including but not limited to notes, concerning any and all of Plaintiff's communications with BPCA or any current or former BPCA board members, officers or personnel.

RESPONSE:

Plaintiff objects to Request for Production No. 2 on the grounds that it is overly broad and unduly burdensome because, among other reasons, it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

REQUEST No. 3:

All correspondence or other documents reflecting communications between Plaintiff and Kirk Swanson.

RESPONSE:

Plaintiff objects to Request for Production No. 3 on the grounds that it is overly broad and unduly burdensome, among other reasons, because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D.

Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no producible documents relating to Mr. Swanson exist. Non-recorded phone conversations have been the source of information used by Plaintiff as evidence in the complaints.

Moreover, Plaintiff is a journalist and information of news sources is privileged and protected. In the Reporters Committee for the Freedom of the press (http://www.rcfp.org/rcfp/orders/docs/privilege/02.pdf):

"***First Amendment protection.*** The U.S. Supreme Court last considered a constitutionally based reporter's privilege in 1972 in *Branzburg v. Hayes*, 408 U.S. 665 (1972). Justice Byron White, joined by three other justices, wrote the opinion for the Court, holding that the First Amendment does not protect a journalist who has actually witnessed criminal activity from revealing his or her information to a grand jury. However a concurring opinion by Justice Lewis Powell and a dissenting opinion by Justice Potter Stewart recognized a qualified privilege for reporters.

State constitutions, common law and court rules. Many states have recognized a reporter's privilege based on state law. For example, New York's highest court recognized a qualified reporter's privilege under its own state constitution, protecting both confidential and non-confidential materials. (*O'Neill v. Oakgrove Construction Inc.*, 71 N.Y.S.2d 521 (1988))."

REQUEST No. 4:

All correspondence or other documents reflecting communications between Plaintiff and Vince McGowan.

RESPONSE:

Plaintiff objects to Request for Production No. 4 on the grounds that it is overly broad and unduly burdensome because, among other reasons, it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, the only relevant producible document relating to Mr. McGowan was the January 12, 2014 email, that has been already disclosed in the complaints, in which Mr. McGowan tipped off Plaintiff that he knew of Plaintiff's apartment lease not being renewed even before Plaintiff knew, "**It is good to see that you appreciate what we have on the West Side, Hope you can stay**." A subsequent voice phone call, not recorded, in which Mr. McGowan clarified what he meant in the email, is not producible documentation.

Moreover, Plaintiff is a journalist and information of news sources is privileged and protected. In the Reporters Committee for the Freedom of the press (http://www.rcfp.org/rcfp/orders/docs/privilege/02.pdf):

"***First Amendment protection.*** The U.S. Supreme Court last considered a constitutionally based reporter's privilege in 1972 in *Branzburg v. Hayes*, 408 U.S. 665 (1972). Justice Byron White, joined by three other justices, wrote the opinion for the Court, holding that the First Amendment does not protect a journalist who has actually witnessed criminal activity from revealing his or her information to a grand jury. However a concurring opinion by Justice Lewis Powell and a dissenting opinion by Justice Potter Stewart recognized a qualified privilege for reporters.

State constitutions, common law and court rules. Many states have recognized a reporter's privilege based on state law. For example, New York's highest court recognized a qualified reporter's privilege under its own state constitution, protecting both confidential and non-confidential materials. (*O'Neill v. Oakgrove Construction Inc.*, 71 N.Y.S.2d 521 (1988))."

REQUEST No. 5:

All correspondence or other documents reflecting communications between Plaintiff and the "BPCA insider" referenced at ¶63 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 5 on the grounds that it is overly broad and unduly burdensome because, among other reasons, it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Moreover, Plaintiff is a journalist and information of news sources is privileged and protected. In the Reporters Committee for the Freedom of the press (http://www.rcfp.org/rcfp/orders/docs/privilege/02.pdf):

"***First Amendment protection.*** The U.S. Supreme Court last considered a constitutionally based reporter's privilege in 1972 in *Branzburg v. Hayes*, 408 U.S. 665 (1972). Justice Byron White, joined by three other justices, wrote the opinion for the Court, holding that the First Amendment does not protect a journalist who has actually witnessed criminal activity from revealing his or her information to a grand jury. However a concurring opinion by Justice Lewis Powell and a dissenting opinion by Justice Potter Stewart recognized a qualified privilege for reporters.

State constitutions, common law and court rules. Many states have recognized a reporter's privilege based on state law. For example, New York's highest court recognized a qualified reporter's privilege under its own state constitution, protecting both confidential and non-confidential materials. (*O'Neill v. Oakgrove Construction Inc.*, 71 N.Y.S.2d 521 (1988))."

REQUEST No. 6:

All audio recordings of communications between Plaintiff and any current or former BPCA board members, officers or personnel. Any such audio recordings must be produced in their raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff objects to Request for Production No. 6 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Moreover, Plaintiff is a journalist and information of news sources is privileged and protected. In the Reporters Committee for the Freedom of the press (http://www.rcfp.org/rcfp/orders/docs/privilege/02.pdf):

"***First Amendment protection.*** The U.S. Supreme Court last considered a constitutionally based reporter's privilege in 1972 in *Branzburg v. Hayes*, 408 U.S. 665 (1972). Justice Byron White, joined by three other justices, wrote the opinion for the Court, holding that the First Amendment does not protect a journalist who has actually witnessed criminal activity from revealing his or her information to a grand jury. However a concurring opinion by Justice Lewis Powell and a dissenting opinion by Justice Potter Stewart recognized a qualified privilege for reporters.

State constitutions, common law and court rules. Many states have recognized a reporter's privilege based on state law. For example, New York's highest court recognized a qualified reporter's privilege under its own state constitution, protecting both confidential and non-confidential materials. (*O'Neill v. Oakgrove Construction Inc.*, 71 N.Y.S.2d 521 (1988)).”

REQUEST No. 7:

All video recordings of communications between Plaintiff and any current or former BPCA board members, officers or personnel. Any such video recordings must be produced in their raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff objects to Request for Production No. 7 on the grounds that it is overly broad and unduly burdensome, among other reasons, because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

Any video relevant to this request can be found on the YouTube channel located at: https://www.youtube.com/user/Batteryparktv

The electronic files can be downloaded using numerous browser applications that allow for the MP4 files to be downloaded. Defendants can choose which ones they believe are relevant to their request.

Plaintiff also objects to Request for Production No. 7 in that it is not reasonably calculated to lead to the discovery of admissible evidence. Any relevant video Plaintiff possesses of BPCA defendants is specially detailed in the responses that follow.

REQUEST No. 8:

All audio recordings created by Plaintiff or others at BPCA's offices. Any such audio recordings must be produced in their raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff objects to Request for Production No. 8 on the grounds that it is overly broad and unduly burdensome, among other reasons, because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Any video relevant to this request can be found on YouTube at:
https://www.youtube.com/user/Batteryparktv

The electronic files can be downloaded using numerous browser applications that allow for the MP4 files to be downloaded. Defendants can choose which ones they believe are relevant to their request.

Plaintiff also objects to Request for Production No. 8 in that it is not reasonably calculated to lead to the discovery of admissible evidence. Any relevant video Plaintiff possesses of BPCA defendants is detailed in the responses that follow.

REQUEST No. 9:

All video recordings created by Plaintiff or others at BPCA's offices. Any such video recordings must be produced in their raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff objects to Request for Production No. 9 on the grounds that it is overly broad and unduly burdensome, among other reasons, because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Any video relevant to this request can be found on the YouTube channel located at: https://www.youtube.com/user/Batteryparktv

The electronic files can be downloaded using numerous browser applications that allow for the MP4 files to be downloaded. Defendants can choose which ones they believe are relevant to their request.

Plaintiff also objects to Request for Production No. 9 in that it is not reasonably calculated to lead to the discovery of admissible evidence. Any relevant video Plaintiff possesses of BPCA defendants is detailed in the responses that follow.

REQUEST No. 10:

All images created or captured by Plaintiff at BPCA's offices. Any such image must be produced in its raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff objects to Request for Production No. 10 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 10 in that it is not reasonably calculated to lead to the discovery of admissible evidence. Any relevant image Plaintiff possesses of BPCA defendants is detailed in the responses that follow.

REQUEST No. 11:

All images, video recordings or audio recordings created or captured by Plaintiff during or concerning the July 29, 2015 BPCA board meeting, including but not limited to Plaintiff's attempt to enter the board meeting and/or Plaintiffs attendance at 21 South End Avenue. Any such images or video or audio recordings must be produced in their raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff has the right to object to Request for Production No. 11 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

> "The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…
>
> All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

However, the video files have been retained by Plaintiff and will be delivered to the BPCA when they ship to us the computer memory device that can hold 5 GB.

REQUEST No. 12:

All video or audio recordings or image files concerning the defendants Howard Milstein, Steven Rossi, Janet Martin, Milford Management and/or Mariners Cove Site B Associates (the "Real Estate Defendants"), or Plaintiff's communications or other interactions with the Real Estate Defendants.

RESPONSE:

Plaintiff objects to Request for Production No. 12 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

REQUEST No. 13:

All video or audio recordings or image files that in any way depict the BPCA Defendants or the Real Estate Defendants.

RESPONSE:

Plaintiff objects to Request for Production No. 13 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life*

Ins. Co., No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 13 in that it is not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST No. 14:

All video or audio recordings or image files that in any way depict Plaintiff's interactions or other communications with the Park Enforcement Patrol.

RESPONSE:

Plaintiff objects to Request for Production No. 14 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 14 in that it is not reasonably calculated to lead to the discovery of admissible evidence. Those claims regarding the PEP have been dismissed by Judge Nathan.

REQUEST No. 15:

All video or audio recordings or image files that depict any event described in the Corrected Amended Complaint (Dkt 85).

RESPONSE:

Plaintiff objects to Request for Production No. 15 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 15 in that it is not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST No. 16:

All documents concerning communications between Plaintiff and any of the Real Estate defendants related to the Apartment or the lease of same.

RESPONSE:

Plaintiff objects to Request for Production No. 16 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 16 on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST No. 17:

All documents concerning the allegation that "Going back to at least the year 2009, the BPCA has never before set up any such satellite video viewing station," as referenced in ¶72 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 17 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no such viewing room was ever previously set up by the BPCA. Therefore, no such documents exist to Plaintiff's knowledge. It is the defendant's duty to prove that they ever set up such an event.

REQUEST No. 18:

All documents concerning the allegation that "the BPCA Chairman and CEO Dennis Mehiel has indeed allowed questions from plaintiff and other reporters many times over the years during the open BPCA meetings," as referenced in ¶124 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 18 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents…." However, in reply:

Any video relevant to this request can be found on the YouTube channel located at: https://www.youtube.com/user/Batteryparktv

In particular, please note:

Mehiel replying to a question by BatteryPark.TV
https://youtu.be/PxKT7qdlVoA

Mehiel answering questions from the press
https://youtu.be/LV5dGyrxZME

Mehiel and others answering questions at town hall
https://youtu.be/kp-t_FKlsOM

The electronic files can be downloaded using numerous browser applications that allow for the MP4 files to be downloaded. Defendants can choose which ones they believe are relevant to their request.

REQUEST No. 19:

All video recordings or audio recordings created by Plaintiff or in Plaintiff's possession or control, reflecting questions being asked at BPCA meetings by Plaintiff or others members of the general public. Any such video or audio recordings must be produced in their raw and unedited form, as well as in any edited form.

RESPONSE:

Plaintiff objects to Request for Production No. 19 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Also, Plaintiff objects to Request for Production No. 19 on the grounds that is not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST No. 20:

All documents concerning the non-renewal of Plaintiffs former lease of Apartment 35F, 200 Rector Place, NY, NY (the "Apartment"), including but not limited to all housing court documents.

RESPONSE:

Plaintiff objects to Request for Production No. 20 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

Plaintiff objects to Request for Production No. 20 on the grounds that it is public information available from court at 111 Centre Street, second floor, as well as from the real estate lawyers.

REQUEST No. 21:

All documents concerning any alleged conspiracy between or among any of the BPCA Defendants and/or any of the Real Estate Defendants to not renew Plaintiff's lease for the Apartment, as alleged in the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 21 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

REQUEST No. 22:

All documents concerning the allegation that "BPCA was working to evict" Plaintiff, as referenced at ¶¶58-59 of the Corrected Amended Complaint. This request includes, but is not limited to, the alleged email from Vince McGowan to Plaintiff referenced in ¶58 of the Corrected Amended Complaint, and all documents concerning the alleged phone conversation between Vince McGowan and Plaintiff referenced in ¶59 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 22 on the grounds that it is overly broad and unduly burdensome because, among other reasons, it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, Plaintiff objects to No. 22 because it is a duplicate of the No. 4 request.

In addition, the only relevant producible document relating to Mr. McGowan was the January 12, 2014 email, already disclosed in the complaints, in which Mr. McGowan tipped off Plaintiff that he knew of Plaintiff's apartment lease not being renewed even before Plaintiff knew, "**It is good to see that you appreciate what we have on the West Side, Hope you can stay**." A subsequent voice phone call, not recorded, in which Mr. McGowan clarified what he meant in the email, is not producible documentation.

Moreover, Plaintiff is a journalist and information of news sources is privileged and protected. In the Reporters Committee for the Freedom of the press (http://www.rcfp.org/rcfp/orders/docs/privilege/02.pdf):

"***First Amendment protection.*** The U.S. Supreme Court last considered a constitutionally based reporter's privilege in 1972 in *Branzburg v. Hayes*, 408 U.S. 665 (1972). Justice Byron White, joined by three other justices, wrote the opinion for the Court, holding that the First Amendment does not protect a journalist who has actually witnessed criminal activity from revealing his or her information to a grand jury. However a concurring opinion by Justice Lewis Powell and a dissenting opinion by Justice Potter Stewart recognized a qualified privilege for reporters.

State constitutions, common law and court rules. Many states have recognized a reporter's privilege based on state law. For example, New York's highest court recognized a qualified reporter's privilege under its own state constitution, protecting both confidential and non-confidential materials. (*O'Neill v. Oakgrove Construction Inc.*, 71 N.Y.S.2d 521 (1988)).”

REQUEST No. 23:

All documents concerning the allegation that "BPCA had pressured Mariners, Milford, and Rossi to not renew Plaintiffs lease," as referenced in ¶¶63-67 of the Corrected Amended Complaint. This request includes, but is not limited to, the alleged email to Plaintiff from "a BPCA insider" referenced in ¶63 of the Corrected Amended Complaint, and all documents concerning the alleged phone conversation(s) between Kirk Swanson and Plaintiff referenced in ¶64 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 23 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

In addition, no such documents in the possession of Plaintiff are known to exist.

REQUEST No. 24:

All documents concerning any reaction or response by any of the BPCA Defendants and/or the Real Estate Defendants to any of Plaintiff's alleged journalistic activities, including documents pertaining to any alleged retaliation against Plaintiff, or any alleged conspiracy to retaliate against Plaintiff, by any of the BPCA Defendants and/or the Real Estate Defendants.

RESPONSE:

Plaintiff objects to Request for Production No. 24 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no such documents in the possession of Plaintiff are known to exist.

REQUEST No. 25:

All documents concerning any mental and/or emotional suffering experienced by Plaintiff in connection with any claim alleged in the Corrected Amended Complaint, including but not limited to the alleged "mental anguish" referenced on pages 3 and 5 of the Plaintiff's Initial Disclosures, the alleged "tangible, concrete mental...hardship" referenced at ¶115 of the Corrected Amended Complaint, and the alleged "embarrassment, humiliation, mental distress, anxiety, and depression" referenced on page 34 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 25 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects to Request for Production No. 25 in principal on the grounds that it seeks privileged doctor-patient records pursuant to the federal Health Information Portability and Accountability Act (HIPAA) and other laws. However, no such documents yet exist.

REQUEST No. 26:

All documents concerning any consultation or treatment that Plaintiff received from any physician, psychologist, psychiatrist, counsellor, social worker, therapist or other health care professional or institution concerning any mental or physical condition which Plaintiff claims is related to any alleged mental, emotional or physical suffering resulting from any interaction with, or any retaliation or other conduct by, any or all of the Defendants, including but not limited to the non-renewal of Plaintiff's lease for the Apartment.

RESPONSE:

Plaintiff objects to Request for Production No. 26 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects to Request for Production No. 25 in principal on the grounds that it seeks privileged doctor-patient records pursuant to the federal Health Information Portability and Accountability Act (HIPAA) and other laws. However, no such documents yet exist.

REQUEST No. 27:

The BPCA Defendants request that Plaintiff immediately provide duly-executed Authorizations for the Release of Medical Records, in the form attached as Exhibit A, from any physician, psychologist, psychiatrist, counselor [sic], social worker, therapist or other health care professional or institution that Plaintiff has visited or consulted with respect to any mental or physical condition which Plaintiff claims is related to any alleged mental, emotional or physical suffering resulting from any interaction with, or any retaliation or other conduct by, any or all of the Defendants, including but not limited to the non-renewal of Plaintiff's lease for the Apartment. For purposes of this Request, such "mental or physical condition" includes but is not limited to the alleged "mental anguish" referenced on pages 3 and 5 of the Plaintiff's Initial Disclosures, the alleged "tangible, concrete mental...hardship" referenced at ¶115 of the Corrected Amended Complaint, and the alleged "embarrassment, humiliation, mental distress, anxiety, and depression" referenced on page 34 of the Corrected Amended Complaint. The executed Authorizations for the Release of Medical Records will authorize the release to the BPCA Defendant's counsel of all records which in any way relate to any and all medical, psychiatric and/or psychological treatment, counseling or therapy received by Plaintiff from January 1, 2009 to the present.

RESPONSE:

Request No. 27 uses broad language, “from any physician, psychologist, psychiatrist, counselor, social worker, therapist or other health care professional or institution that Plaintiff has visited or consulted with respect to any mental or physical condition” Therefore, Plaintiff objects to Request for Production No. 27 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

Plaintiff objects to Request for Production No. 27 on the grounds that it seeks privileged doctor-patient records pursuant to the federal Health Information Portability and Accountability Act (HIPAA) and other laws. Moreover, no such documents yet exist to the best of Plaintiff’s knowledge. The nature of the documents held by a hospital or doctor are unknown to Plaintiff.

REQUEST No. 28:

All documents concerning the allegation that Plaintiff suffered "tangible, concrete...financial hardship" as a result of the allegedly "retaliatory eviction proceedings," as referenced in ¶115 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 28 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no such financial tabulations and calculations have been created and do not yet exist. If a jury ultimately finds in favor of Plaintiff, an extensive accounting process will have to be undertaken. Currently, this is beyond the means of pro se Plaintiff to produce these documents.

REQUEST No. 29:

All documents concerning any of Plaintiffs claims for damages from past lost revenue, including but not limited to the alleged "Past Lost Revenue from plaintiff's businesses" referenced on page 4 of the Plaintiff's Initial Disclosures. Such documents should include, but not be limited to, pay stubs, income tax returns, profit and loss or similar accounting statements, and all other proof of Plaintiff's income from 2006 to the present.

RESPONSE:

Plaintiff objects to Request for Production No. 29 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 29 on the grounds that it is no longer relevant to document income and revenue given the newly revised initial disclosures, served on January 30th, 2017, that value Plaintiff's companies based on banking metrics that do not involve the current revenue and income of the businesses.

REQUEST No. 30:

All documents concerning any of Plaintiff's claims for damages from future lost revenue, including but not limited to the alleged "Future Lost Revenue from The Healthcare Channel and medical practice" referenced on page 5 of the Plaintiff's Initial Disclosures. Such documents should include, but not be limited to, paystubs, income tax returns, profit and loss or similar accounting statements, and all other proof of Plaintiff's income from 2006 to the present.

RESPONSE:

Plaintiff objects to Request for Production No. 30 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 30 on the grounds that it is no longer relevant to document income and revenue given the newly revised initial disclosures, served on January 30th, 2017, that value Plaintiff's companies based on banking metrics that do not involve the current revenue and income of the businesses.

REQUEST No. 31:

All documents concerning any of Plaintiff's claims of reputational damage, including but not limited to the alleged "Reputation damage caused by retaliatory eviction" referenced on page 5 of the Plaintiff's Initial Disclosures, and to the alleged "irreparable harm to personal and professional reputation" referenced on page 34 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 31 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life*

Ins. Co., No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no such documents exist at this time to the best of Plaintiff's knowledge.

REQUEST No. 32:

All documents concerning any of Plaintiff's claims for moving cost damages, including but not limited to the "Cost to move out of apartment" referenced on page 5 of the Plaintiff's Initial Disclosures. Such documents should include, but not be limited to, invoices or other proof of current rent, invoices or other proof of former rent, invoices from moving companies, and other proof of expenses associated with moving.

RESPONSE:

Plaintiff objects to Request for Production No. 32 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 32 on the grounds that it is publicly available information (i.e. the rent) found in the documents filed in this complaint and the housing court litigation.

In addition, Plaintiff is not in possession of the receipts and records sought. Pro se Plaintiff cannot spend the time and money to produce a detailed accounting sheet at this time.

REQUEST No. 33:

All documents concerning any of Plaintiff's claims for damages from lost enjoyment of the Apartment, including but not limited to the "Loss of enjoyment of NYC apartment" referenced on page 5 of the Plaintiff's Initial Disclosures.

RESPONSE:

Plaintiff objects to Request for Production No. 33 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, Plaintiff objects on the grounds that the loss of enjoyment of the apartment is calculated based on the market rate for such an apartment, and the lease and rent information is already public information in the briefs filed for this complaint.

REQUEST No. 34:

All documents concerning any of Plaintiff's claims for damages from housing court judgments, including but not limited to the "Housing court judgments" referenced on page 5 of the Plaintiff's Initial Disclosures.

RESPONSE:

Plaintiff objects to Request for Production No. 34 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects to Request for Production No. 34 on the grounds that it is publicly available court documentation that is also in the possession of the real estate lawyers. It is overly burdensome to expect *pro se* Plaintiff to provide a small truckload of documents.

REQUEST No. 35:

All documents concerning any of Plaintiffs claims for damages for the time and cost to prepare documents in connection with any claim against any of the BPCA Defendants, including but not limited to the "Time and cost to prepare documents" referenced on page 5 of the Plaintiff's Initial Disclosures.

RESPONSE:

Plaintiff objects to Request for Production No. 35 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no such accounting documents yet exist in the possession of Plaintiff.

REQUEST No. 36:

All documents concerning any of Plaintiffs claims for damages from travel, including but not limited to the "Travel to court" referenced on page 5 of the Plaintiff's Initial Disclosures. Such documents should include, but not be limited to, receipts for transportation, gasoline, and tolls, and proof of mileage traveled.

RESPONSE:

Plaintiff objects to Request for Production No. 36 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

In addition, no such accounting documents (i.e. receipts for transportation, gasoline, and tolls, and proof of mileage traveled) yet exist in the possession of Plaintiff.

REQUEST No. 37:

All documents concerning any of Plaintiffs claims for damages from paralegal fees, including but not limited to the "Paralegal fees" referenced on page 5 of the Plaintiff's Initial Disclosures. Such documents should include, but not be limited to, invoices for paralegal time expended and tasks undertaken, amounts charged, and proof of payment by Plaintiff.

RESPONSE:

Plaintiff objects to Request for Production No. 37 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

REQUEST No. 38:

All documents concerning any of Plaintiff's claims for damages from attorney fees and costs, including but not limited to the "Attorney fees and costs" referenced on page 5 of the Plaintiff's Initial Disclosures. Such documents should include, but not be limited to, invoices for attorney time expended and tasks undertaken, amounts charged, and proof of payment by Plaintiff.

RESPONSE:

No such documents yet exist.

REQUEST No. 39:

All documents concerning the allegation that "Plaintiff is a journalist," referenced at ¶20 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 39 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 39 on the grounds that it is redundant to requests 40 and 41.

REQUEST No. 40:

All documents concerning any compensation received by Plaintiff for any work Plaintiff claims is as a journalist.

RESPONSE:

Plaintiff objects to Request for Production No. 40 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.,* No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 39 on the grounds that it is redundant to requests 39 and 40.

REQUEST No. 41:

All published writings of Plaintiff via any media other than on the BatteryPark.TV or The Healthcare Channel websites.

RESPONSE:

Plaintiff could object to Request for Production No. 41 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

However, Plaintiff will respond with his curriculum vitae:

Books and Mainstream Publications

1. Greer SE (Editor-in-Chief), Benhaim P, Lorenz HP, Chang J, Hedrick MH (Eds.). **The Handbook of Plastic Surgery**. New York: Marcel Dekker, 2004

2. Greer SE. **Inside ObamaCare's Grant-Making**. Op-Ed in The Wall Street Journal. June 4, 2012

3. Greer SE. **Pork is Clogging CMMI's Arteries**. Letter section in The Wall Street Journal. June 20, 2012

Journal Articles Published

1. Greer SE, Matarasso A, Wallach S, Simon G, Longaker MT: **The Importance of the Nasal-to-Cervical Relationship to the Profile and Rhinoplasty Surgery.** *Plastic and Reconstructive Surger*. 108(2):522-31; discussion 532-5. 2001

2. Greer SE, Grossi EA, Chin D, Longaker MT. **Subatmospheric Pressure Dressing for Closure of Saphenous Vein Donor-Site Wound Complications.** *Annals of Thoracic Surgery*, 71(3):1038-1040, 2001

3. Greer SE: **A Lesson from the High Tech Economic Boom: Utilize the Competitive Advantage of Plastic Surgery.** *Plastic and Reconstructive Surgery,* 107(2):598-601, 2001

4. Puckett CL, Greer SE: **A Lesson from the High Tech Economic Boom: Utilize the Competitive Advantage of Plastic Surgery.** Discussion. *Plastic and Reconstructive Surgery*, 107(2):602-603, 2001

5. Greer SE: **Whither Subatmospheric Pressure Dressing?** Editorial. *Ann Plast Surg*, 45(3):332-4, 2000

6. Greer SE, Matarasso A, Wallach S, Simon G, Longaker MT: **The Nasal-to-Cervical Relationship of Rhinoplasty Surgery.** *Plastic Surgical Forum*, 2000

7. Greer SE, Longaker MT, Cutting C, McCarthy JG, Shaw W, Lorenz HP: **The Gold Standard for Acceptable Resolution of Projected Digital Photographic Images in Plastic Surgery.** *Plastic Surgical Forum*, 2000

8. Greer SE, MD, Adelman M, MD, Kasabian A, MD, Galiano R, MD, Scott R, MD, Longaker MT, MD: **The Use of Subatmospheric Pressure Dressing to Close Lymphocutaneous Fistulas of the Groin**. *Brit J Plast Surg*, 53(6):484-487, 2000

9. Matarasso A, Greer SE, Longaker MT: **The True Hanging Columella: Simplified Diagnosis and Treatment Using a Modified Direct Approach.** *Plastic and Reconstructive Surgery*, 106(2):469-474, 2000

10. Matarasso A, Greer SE, Longaker MT: **The True Hanging Columella: Simplified Diagnosis and Treatment Using a Modified Direct Approach.** *Plastic Surgical Forum*, 2000

11. Greer SE, Longaker MT, Margiotta M: **Preliminary Results from a Multicenter, Randomized, Controlled, Study of the Use of Subatmospheric Pressure Dressing for Pressure Ulcer Healing.** *Wound Repair and Regeneration*. 7(4); 255, 1999

12. Greer SE, Longaker MT, Margiotta M, Mathews AJ, Kasabian A: **The Use of Subatmospheric Pressure Dressing for the Coverage of Radial Forearm Free Flap Donor-Site Exposed Tendon Complications.** *Ann Plast Surg*. 43(5):551-554, November 1999

13. Greer SE, Duthie E, Cartolano B, Koehler KM, Maydick-Youngberg D, Longaker MT: **Techniques for Applying Subatmospheric Pressure Dressing to Wounds in Difficult Regions of Anatomy.** *J Wound Ostomy Continence Nurs*, 26(5); 250-3, September 1999

14. Greer SE, Kasabian A, Thorne C, Borud L, Sims CD, Hsu M: **The Use of a Subatmospheric Pressure Dressing to Salvage a Gustilo Grade IIIB Open Tibia Fracture with Concomitant Osteomyelitis and Avert a Free Flap.** Letter. *Annals of Plastic Surgery* , 41(6); 687, Dec 1998

REQUEST No. 42:

All documents concerning any press pass or press credentials issued to Plaintiff.

RESPONSE:

Plaintiff could object to Request for Production No. 41 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

However, Plaintiff will respond with the following:

The White House press pass and security system confiscates badges as journalists leave, so Plaintiff has no pass badge to produce. However, the following videos are evidence of Plaintiff's entrance into The West Wing.

https://youtu.be/wPkttU1BgX0

https://youtu.be/66ADnzrHkak

The Ohio State University granted Plaintiff an all-stadium-access press pass for the Ohio State v Michigan football game

https://youtu.be/1F9lFUZhpyg

Plaintiff has never needed an NYPD-issued press pass for local reporting on BatteryPark.TV or The Healthcare Channel, otherwise.

REQUEST No. 43:

All documents relating to Plaintiff's contention that Plaintiff's journalism has been "referenced in "congressional testimony" [sic], as referenced in ¶21 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff could object to Request for Production No. 41 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

However, Plaintiff will respond with the following:

Plaintiff objects to the use of “[sic]” in the request. There is nothing wrong with “congressional testimony”. Nevertheless, the following documents is from a House Committee and specifically references Plaintiff’s writing in The Wall Street Journal.

COMMITTEE ON
WAYS AND MEANS
CHAIRMAN DAVE CAMP

Press Release

FOR IMMEDIATE RELEASE **June 13, 2012**

Michelle Dimarob, Sarah Swinehart **(202) 226-4774**

Boustany Requests Information on ObamaCare Grant Program

Grant Program Operates With No Transparency or Accountability

Washington, DC – Today, Ways and Means Subcommittee on Oversight Chairman Charles Boustany, Jr., MD (R-LA) requested information from the Department of Health and Human Services (HHS) on the Center for Medicare and Medicaid Innovation (CMMI) awarding $123 million in grants. Recent reports on grant making activities at CMMI reveal that taxpayer dollars may be going to waste. One physician who participated in the grant application review process wrote in a recent *Wall Street Journal* piece that the grant program is "one more pork program," and that it operates with "few safeguards and little transparency."

Boustany stated, "The Democrats' health care law gives CMMI $10 billion in taxpayer dollars every decade without a shred of transparency, accountability or congressional review. In fact, the law explicitly shields CMMI's decisions from public review. We must hold CMMI accountable and protect hardworking taxpayers."

Last year, HHS announced plans to hand out $1 billion in CMMI grants. In May of this year, HHS announced the first round of CMMI grants, totaling $123 million to 26 organizations and ranging from approximately $1 million to $30 million for a three-year period.

The full text of the letter can be read here.

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Ways and Means Press Office
www.WaysandMeans.House.gov

In addition, this Senate Finance Committee hearing was generated by Plaintiff's Wall Street Journal reporting:

https://youtu.be/BhL8dUAcGwc

The two examples above are not a comprehensive list. Congressional records will reveal other references to Plainitff's work. That is public information.

REQUEST No. 44:

All documents concerning e-mail subscribers to BatteryPark.TV, including but not limited to the names and email addresses of such subscribers.

RESPONSE:

Plaintiff objects to Request for Production No. 44 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 44 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,
- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

According to US-CERT, the principle of Principle of Least Privilege applies: "Every program and every user of the system should operate using the least set of privileges necessary to complete the job. Primarily, this principle limits the damage that can result from an accident or error. It also reduces the number of potential interactions among privileged programs to the minimum for correct operation, so that unintentional, unwanted, or improper uses of privilege are less likely to occur. "

Also, the Children's Online Privacy Protection Act (COPPA) (15 U.S.C. §§6501-6506), Telecommunications act of 1996, section 222, and the "privacy" terms of BatteryPark.TV prohibit the release of information about users and viewers of BatteryPark.TV.

Modified in 2016, "In adopting section 222 of the Communications Act, Congress recognized the importance of protecting the privacy of customers using telecommunications networks. Section 222 requires telecommunications carriers to protect the confidentiality of customer proprietary information"

The nature of this privileged information is in electronic form held by a third-party website tracking site and service provider database.

REQUEST No. 45:

All documents concerning the monthly number of visitors to BatteryPark.TV, including but not limited to the monthly number of unique visitors.

RESPONSE:

Plaintiff objects to Request for Production No. 45 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g.*, *Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 45 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,
- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

According to US-CERT, the principle of Principle of Least Privilege applies: “Every program and every user of the system should operate using the least set of privileges necessary to complete the job. Primarily, this principle limits the damage that can result from an accident or error. It also reduces the number of potential interactions among privileged programs to the minimum for correct operation, so that unintentional, unwanted, or improper uses of privilege are less likely to occur. “

Also, the Children's Online Privacy Protection Act (COPPA) (15 U.S.C. §§6501-6506), Telecommunications act of 1996, section 222, and the “privacy” terms of BatteryPark.TV prohibit the release of information about users and viewers of BatteryPark.TV.

Modified in 2016, “In adopting section 222 of the Communications Act, Congress recognized the importance of protecting the privacy of customers using telecommunications networks. Section 222 requires telecommunications carriers to protect the confidentiality of customer proprietary information”

The nature of this privileged information is in electronic form held by a third-party website tracking site and service provider database.

REQUEST No. 46:

All documents concerning the contention in ¶20 of the Corrected Amended Complaint that BatteryPark.TV is "one of the most viewed local news website [sic] for Downtown Manhattan."

RESPONSE:

Plaintiff objects to Request for Production No. 46 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

Plaintiff also objects to Request for Production No. 46 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,
- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

According to US-CERT, the principle of Principle of Least Privilege applies: “Every program and every user of the system should operate using the least set of privileges necessary to complete the job. Primarily, this principle limits the damage that can result from an accident or error. It also reduces the number of potential interactions among privileged programs to the minimum for correct operation, so that unintentional, unwanted, or improper uses of privilege are less likely to occur. “

Also, the Children's Online Privacy Protection Act (COPPA) (15 U.S.C. §§6501-6506), Telecommunications act of 1996, section 222, and the “privacy” terms of BatteryPark.TV prohibit the release of information about users and viewers of BatteryPark.TV.

Modified in 2016, "In adopting section 222 of the Communications Act, Congress recognized the importance of protecting the privacy of customers using telecommunications networks. Section 222 requires telecommunications carriers to protect the confidentiality of customer proprietary information"

The nature of this privileged information is in electronic form held by a third-party website tracking site and service provider database.

REQUEST No. 47:

All documents concerning revenue from BatteryPark.TV, including but not limited to revenue from advertisements, subscriptions, grants, or donations.

RESPONSE:

Plaintiff objects to Request for Production No. 47 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 47 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,

- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

Plaintiff also objects to Request for Production No. 47 on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence given that BatteryPark.TV accepts no advertising and the revenue, or lack thereof, is irrelevant to this case.

REQUEST No. 48:

All documents concerning The Healthcare Channel referenced in ¶116 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 48 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

REQUEST No. 49:

All documents concerning e-mail subscribers to The Healthcare Channel, including but not limited to the names and email addresses of such subscribers.

RESPONSE:

Plaintiff objects to Request for Production No. 49 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 49 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,
- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

According to US-CERT, the principle of Principle of Least Privilege applies: "Every program and every user of the system should operate using the least set of privileges necessary to complete the job. Primarily, this principle limits the damage that can result from an accident or error. It also reduces the number of potential interactions among privileged programs to the minimum for correct operation, so that unintentional, unwanted, or improper uses of privilege are less likely to occur. "

Also, the Children's Online Privacy Protection Act (COPPA) (15 U.S.C. §§6501-6506), Telecommunications act of 1996, section 222, and the "privacy" terms of BatteryPark.TV prohibit the release of information about users and viewers of BatteryPark.TV.

Modified in 2016, "In adopting section 222 of the Communications Act, Congress recognized the importance of protecting the privacy of customers using telecommunications networks. Section 222 requires telecommunications carriers to protect the confidentiality of customer proprietary information"

The nature of this privileged information is in electronic form held by a third-party website tracking site and service provider database.

REQUEST No. 50:

All documents concerning the monthly number of visitors to The Healthcare Channel, including but not limited to the monthly number of unique visitors.

RESPONSE:

Plaintiff objects to Request for Production No. 50 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D.

Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 50 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,
- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

According to US-CERT, the principle of Principle of Least Privilege applies: "Every program and every user of the system should operate using the least set of privileges necessary to complete the job. Primarily, this principle limits the damage that can result from an accident or error. It also reduces the number of potential interactions among privileged programs to the minimum for correct operation, so that unintentional, unwanted, or improper uses of privilege are less likely to occur. "

Also, the Children's Online Privacy Protection Act (COPPA) (15 U.S.C. §§6501-6506), Telecommunications act of 1996, section 222, and the "privacy" terms of BatteryPark.TV prohibit the release of information about users and viewers of BatteryPark.TV.

Modified in 2016, "In adopting section 222 of the Communications Act, Congress recognized the importance of protecting the privacy of customers using telecommunications networks. Section 222 requires telecommunications carriers to protect the confidentiality of customer proprietary information"

The nature of this privileged information is in electronic form held by a third-party website tracking site and service provider database.

REQUEST No. 51:

All documents concerning revenue from The Healthcare Channel, including but not limited to revenue from advertisements, subscriptions, grants, or donations.

RESPONSE:

Plaintiff objects to Request for Production No. 51 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff also objects to Request for Production No. 51 on the grounds that it is privileged trade-secret information on raw viewership data that are only known to Plaintiff. The Uniform Trade Secrets Act ("UTSA") defines a trade secret as:

- information, including a formula, pattern, compilation, program, device, method, technique, or process,
- that derives independent economic value, actual or potential, from not being generally known to or readily ascertainable through appropriate means by other persons who might obtain economic value from its disclosure or use; and
- is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

According to US-CERT, the principle of Principle of Least Privilege applies: “Every program and every user of the system should operate using the least set of privileges necessary to complete the job. Primarily, this principle limits the damage that can result from an accident or error. It also reduces the number of potential interactions among privileged programs to the minimum for correct operation, so that unintentional, unwanted, or improper uses of privilege are less likely to occur. “

Also, the Children's Online Privacy Protection Act (COPPA) (15 U.S.C. §§6501-6506), Telecommunications act of 1996, section 222, and the “privacy” terms of BatteryPark.TV prohibit the release of information about users and viewers of BatteryPark.TV.

Modified in 2016, “In adopting section 222 of the Communications Act, Congress recognized the importance of protecting the privacy of customers using telecommunications networks. Section 222 requires telecommunications carriers to protect the confidentiality of customer proprietary information”

Plaintiff also objects because revenue of the business of The Healthcare Channel is irrelevant to the damages calculus and not likely to lead to admissible evidence.

The nature of this privileged information is in electronic form held by a third-party website tracking site and service provider database.

REQUEST No. 52:

All medical textbooks written by Plaintiff as referenced in ¶18-19 of the Corrected Amended Complaint.

RESPONSE:

Greer SE (Editor-in-Chief), Benhaim P, Lorenz HP, Chang J, Hedrick MH (Eds.). **The Handbook of Plastic Surgery**. New York: Marcel Dekker, 2004

REQUEST No. 53:

All "peer-review research papers" written by Plaintiff as referenced in ¶18 of the Corrected Amended Complaint.

RESPONSE:

15. Greer SE, Matarasso A, Wallach S, Simon G, Longaker MT: **The Importance of the Nasal-to-Cervical Relationship to the Profile and Rhinoplasty Surgery.** *Plastic and Reconstructive Surger*. 108(2):522-31; discussion 532-5. 2001

16. Greer SE, Grossi EA, Chin D, Longaker MT. **Subatmospheric Pressure Dressing for Closure of Saphenous Vein Donor-Site Wound Complications.** *Annals of Thoracic Surgery*, 71(3):1038-1040, 2001

17. Greer SE: **A Lesson from the High Tech Economic Boom: Utilize the Competitive Advantage of Plastic Surgery.** *Plastic and Reconstructive Surgery*, 107(2):598-601, 2001

18. Puckett CL, Greer SE: **A Lesson from the High Tech Economic Boom: Utilize the Competitive Advantage of Plastic Surgery.** Discussion. *Plastic and Reconstructive Surgery*, 107(2):602-603, 2001

19. Greer SE: **Whither Subatmospheric Pressure Dressing?** Editorial. *Ann Plast Surg*, 45(3):332-4, 2000

20. Greer SE, Matarasso A, Wallach S, Simon G, Longaker MT: **The Nasal-to-Cervical Relationship of Rhinoplasty Surgery.** *Plastic Surgical Forum*, 2000

21. Greer SE, Longaker MT, Cutting C, McCarthy JG, Shaw W, Lorenz HP: **The Gold Standard for Acceptable Resolution of Projected Digital Photographic Images in Plastic Surgery.** *Plastic Surgical Forum*, 2000

22. Greer SE, MD, Adelman M, MD, Kasabian A, MD, Galiano R, MD, Scott R, MD, Longaker MT, MD: **The Use of Subatmospheric Pressure Dressing to Close Lymphocutaneous Fistulas of the Groin**. *Brit J Plast Surg*, 53(6):484-487, 2000

23. Matarasso A, Greer SE, Longaker MT: **The True Hanging Columella: Simplified Diagnosis and Treatment Using a Modified Direct Approach.** *Plastic and Reconstructive Surgery*, 106(2):469-474, 2000

24. Matarasso A, Greer SE, Longaker MT: **The True Hanging Columella: Simplified Diagnosis and Treatment Using a Modified Direct Approach.** *Plastic Surgical Forum*, 2000

25. Greer SE, Longaker MT, Margiotta M: **Preliminary Results from a Multicenter, Randomized, Controlled, Study of the Use of Subatmospheric Pressure Dressing for Pressure Ulcer Healing.** *Wound Repair and Regeneration*. 7(4); 255, 1999

26. Greer SE, Longaker MT, Margiotta M, Mathews AJ, Kasabian A: **The Use of Subatmospheric Pressure Dressing for the Coverage of Radial Forearm Free Flap Donor-Site Exposed Tendon Complications.** *Ann Plast Surg*. 43(5):551-554, November 1999

27. Greer SE, Duthie E, Cartolano B, Koehler KM, Maydick-Youngberg D, Longaker MT: **Techniques for Applying Subatmospheric Pressure Dressing to Wounds in Difficult Regions of Anatomy.** *J Wound Ostomy Continence Nurs*, 26(5); 250-3, September 1999

28. Greer SE, Kasabian A, Thorne C, Borud L, Sims CD, Hsu M: **The Use of a Subatmospheric Pressure Dressing to Salvage a Gustilo Grade IIIB Open Tibia Fracture with Concomitant Osteomyelitis and Avert a Free Flap.** Letter. *Annals of Plastic Surgery* , 41(6); 687, Dec 1998

REQUEST No. 54:

Documents concerning any "prestigious federal research grants to conduct clinical trials" awarded to Plaintiff, as referenced in ¶¶18-19 of the Corrected Amended Complaint.

RESPONSE:

1. B2108RC/VA Merit Review Grant, 10/01/99-10/01/2001 awarded $408,280: **Investigation of Subatmospheric Pressure Dressing on Pressure Ulcer Healing.**

2. NCRR M01 RR00096, 6/21/99-6/20/2000 **Controlled Study of Subatmospheric Pressure Dressing on Below-Knee Amputation Wounds.** The NIH-funded General Clinical Research Center, physically located at Bellevue but a distinct entity, accepted the application for the study listed above to be conducted at their facility.

3. NCRR M01 RR00096, 6/21/99-6/20/2000: **Application of Outcome Data to Pressure Ulcer Healing.** The NIH-funded General Clinical Research Center, physically located at Bellevue Hospital but a distinct entity, accepted the application for the study listed above to be conducted at their facility.

4. Private Industry Grant, KCI inc., 10/31/98-10/31/99 awarded $64,000, 1998: **A Controlled Study Comparing the Effectiveness of Subatmospheric Pressure Dressing to Normal Saline Wet-To-Moist Dressing on Pressure Ulcers**

REQUEST No. 55:

Documents concerning any "strenuous background checks, fingerprinting, and extensive state and federal testing" undergone by Plaintiff, as referenced in ¶18 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 55 on the grounds that it is public knowledge and easily available from the New York State Department of Education medical licensing division, FINRA and the Series 7 exam website, and the TSA “known traveler number”, which requires a background check with fingerprints.

REQUEST No. 56:

Documents concerning requests by "medical directors of large New York long-term care facilities" that Plaintiff "speak at grand rounds to educate their staff," as referenced in ¶19 of the Corrected Amended Complaint.

RESPONSE:

Greer SE: **Subatmospheric Pressure Dressing: Clinical Applications and Research Opportunities.** Presented at the Grand Rounds for the Division of Plastic Surgery, Yale University, New Haven, CT, April 15, 1999

In addition, Plaintiff has presented to numerous other Grand Rounds at The NYU Medical Center and Bellevue Medical center.

REQUEST No. 57:

Documents concerning Plaintiffs alleged participation in "oversight activities assisting the U.S. Senate and House investigate waste and fraud in medicine," and in the passage of the Physicians Payments Sunshine Act, as referenced in ¶21 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff was the whistleblower who caused the following senate investigation. Emails between Plaintiff and senate staffers are confidential:

United States Senate

Washington, D.C.

For Immediate Release
Thursday, October 16, 2008

Grassley, Kohl seek information about money going from medical device makers to doctors

WASHINGTON – Senators Chuck Grassley and Herb Kohl are continuing their campaign to shed light on financial relationships between the pharmaceutical and medical device industries and medical doctors.

Today the senators sent letters asking for detailed information about industry dollars going to research physicians affiliated with Columbia University and to the Cardiovascular Research Foundation.

The inquiry responds to information about the Cardiovascular Research Foundation's support for an annual conference promoting cardiac devices and techniques and additional financial relationships between professors of medicine and cardiac devices companies featured at this conference. The text of the senators' letters is below this news release.

Last fall, Grassley and Kohl introduced S.2029, the *Physician Payments Sunshine Act*, which would require companies that make pharmaceuticals, medical device and biologics to disclose payments they make to physicians. The information would be made publicly available online by the U.S. Department of Health and Human Services. Congress has not yet taken up this reform legislation.

Both Grassley and Kohl have conducted oversight of the financial relationships between doctors and industry. Kohl has chaired hearings of the Senate Special Committee on Aging and continues to pursue an ongoing investigation of such relationships, having recently sought information from the American College of Cardiology. Grassley has conducted an extensive review of industry payments to leading research doctors and called on the National Institutes of Health to fully exercise its authority to achieve disclosure of financial relationships between industry and the doctors who conduct $24 billion each year in federally sponsored medical research.

REQUEST No. 58:

All op-ed articles written by Plaintiff as referenced in ¶20 of the Corrected Amended Complaint, including but not limited to articles published in *The Wall Street Journal.*

RESPONSE:

Greer SE. **Inside ObamaCare's Grant-Making**. Op-Ed in The Wall Street Journal. June 4, 2012

Greer SE. **Pork is Clogging CMMI's Arteries**. Letter section in The Wall Street Journal. June 20, 2012

REQUEST No. 59:

All documents concerning the "rare sale[] that Milstein has ever made of the original rental apartments set aside in the 1980's was a sale to a BPCA board member, Robert Mueller, at below-market-rate [sic]," as referenced in ¶32 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff has no such documents. However, they are in the possession of the BPCA defendants.

Plaintiff objects to the use of “[sic]” in the request. There is nothing incorrect about “below-market-rate”

REQUEST No. 60:

All documents concerning the contention in ¶44 of the Corrected Amended Complaint that "Defendant Milford had schemed to sabotage street safety measures planned by the City DOT[.]"

RESPONSE:

Plaintiff could object to this due to the fishing expedition wording, but will reply.

Email from Plaintiff to real estate defendants

From: BatteryPark.TV [mailto:steve@batterypark.tv]
Sent: Wednesday, June 25, 2014 9:46 PM
To: Steve Rossi (srossi@libertyresidences.com); Gus Superintendant (gouranitsas@milfordmgmt.com); drankin@milfordmgmt.com
Cc: 'Jeff Bodoff'; 'jleung@dot.nyc.gov'; 'squinn@dot.nyc.gov'
Subject: Harassing me

Cease and desist

The sign you have posted on the rear entrance, notifying people about the impending DOT changes, is clearly meant to rile up the tenants and make a last ditch effort to sway the DOT to stop this. Gus and Milford Management staff, as well as Lucy Kuhn, went before the CB1 last October to oppose these changes on West Thames, and simply are not accepting defeat.

Moreover, this is a blatant attempt to harass me by saying "See what that Greer is doing?". The doorman said that people are getting upset by the sign.

The DOT did not tell you to place this sign. I doubt that it is even a real DOT sign.

Remove it at once. You are violating the Tenant Protection Act by harassing me.

CC NYPD

This YouTube of Real Estate defendant employee Gus Ouranitsas sent to attend a Community Board 1 meeting to oppose the DOT plans:
https://youtu.be/FLL6iEiD5MU

Plaintiff's story in BatteryPark.TV detailing the sabatoge:
http://batterypark.tv/neighborhoods/bpca/special-interest-of-car-parking-prioritized-over-street-safety-at-school-crossing.html

REQUEST No. 61:

All documents concerning Plaintiff's payment of rent for the Apartment in a timely or late manner, including but not limited to receipts and notices of late payment.

RESPONSE:

Plaintiff objects to Request for Production No. 61 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects to Request for Production No. 61 on the grounds that it is overly broad, unduly burdensome, seeks privileged and confidential materials, and is not reasonably calculated to lead to the discovery of admissible evidence.

Plaintiff also objects because the key evidence in the form of documents, such as check images, are in the possession of the BPCA lawyers and real estate lawyers. There is a considerable expense for Plaintiff to retrieve these images from the bank.

REQUEST No. 62:

All documents concerning the contention in ¶55 of the Corrected Amended Complaint that "Plaintiff's reporting has alerted several state and federal agencies about wrongdoing by Mr. Mehiel's BPCA, and various levels of investigation are underway."

RESPONSE:

Plaintiff objects to Request for Production No. 62 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a “request for ‘any and all’ documents . . . is inherently overbroad”); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that “a request for ‘any and all documents’ relating to a particular subject is overbroad and amounts to little more than a fishing expedition”); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for “any and all” documents “overly broad”)…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case.”

Plaintiff also objects to Request for Production No. 62 on the grounds that it seeks privileged documents relating to ongoing criminal investigations at the city, state, and federal level that might lead to future litigation by Plaintiff. The nature of the documents are electronic website complaint forms and scanned letters ailed to prosecuting authorities.

REQUEST No. 63:

All documents concerning the "Friends of BPC" organization referred to in ¶30 of the Corrected Amended Complaint, including but not limited to organizational documents, meeting minutes, schedules or programs or initiatives or events, and membership lists of "Friends of BPC."

RESPONSE:

Plaintiff objects to Request for Production No. 63 on the grounds that it is overly broad and unduly burdensome because it begins with the words, “All documents….”. In Judge Cott’s order from January 18th, 2017 (Dkt. No. 228), he wrote:

“The Court observes preliminarily that all of Greer’s document requests begin with the phrase “[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . .” “Blanket requests of this kind are plainly overbroad and impermissible.” *Henry v. Morgan’s Hotel Grp.,* *Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects to Request for Production No. 63 on the grounds that it not reasonably calculated to lead to the discovery of admissible evidence given that the Fair Housing Act claims have been dismissed.

REQUEST No. 64:

All documents concerning complaint(s) lodged against Plaintiff, and/or discipline proposed or taken with respect to Plaintiff, during the past 10 years.

RESPONSE:

Plaintiff objects to Request for Production No. 64 on the grounds that it simply makes no sense. Complaints by whom are they asking?

Plaintiff also objects to Request for Production No. 64 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D.

Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

REQUEST No. 65:

All documents concerning the "agreement between building management and building staff] to not talk to Plaintiff about details of the business of the building," which agreement Plaintiff stated "will be produced during discovery," as referred to in ¶106 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff has no such documents. However, they do exist in the possession of the real estate defendants.

REQUEST No. 66:

All documents concerning any complaint(s) lodged against Plaintiff by the staff or former staff of the building at 200 Rector Place, NY, NY, including but not limited to those referred to in ¶107 of the Corrected Amended Complaint.

RESPONSE:

Plaintiff has no such documents. In Plaintiff's investigation into the matter, no one who works for the real estate defendants seemed to know of any such documents. Only lawyer Riegel referenced them.

REQUEST No. 67:

All documents concerning any complaint(s) lodged against Plaintiff by residents or former residents of the building at 200 Rector Place, NY, NY.

RESPONSE:

No such documents exist to Plaintiff's knowledge.

REQUEST No. 68:

All documents relating to Plaintiff's medical licensing, including but not limited to all applications for licensing, applications for renewals, and all licenses received.

RESPONSE:

Plaintiff objects to Request for Production No. 68 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects on the grounds that this is public information as well as irrelevant and not likely to lead to the discovery of admissible evidence.

REQUEST No. 69:

All documents reflecting Plaintiff's first license to practice medicine.

RESPONSE:

Plaintiff objects to Request for Production No. 69 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10,

2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects on the grounds that this is public information as well as irrelevant and not likely to lead to the discovery of admissible evidence.

REQUEST No. 70:

All documents concerning whether Plaintiff is currently licensed to practice medicine.

RESPONSE:

Plaintiff objects to Request for Production No. 70 on the grounds that it is overly broad and unduly burdensome because it begins with the words, "All documents….". In Judge Cott's order from January 18th, 2017 (Dkt. No. 228), he wrote:

"The Court observes preliminarily that all of Greer's document requests begin with the phrase "[a]ll documents, communications, and correspondence which support, evidence, relate or otherwise pertain to . . . ." "Blanket requests of this kind are plainly overbroad and impermissible." *Henry v. Morgan's Hotel Grp., Inc.*, No. 15-CV-1789 (ER) (JLC), 2016 WL 303114, at *2 (S.D.N.Y. Jan. 25, 2016); *see, e.g., Gropper v. David Ellis Real Estate, L.P.*, No. 13-CV-2068 (ALC) (JCF), 2014 WL 518234, at *4 (S.D.N.Y. Feb. 10, 2014) (finding that a "request for 'any and all' documents . . . is inherently overbroad"); *Rice v. Reliastar Life Ins. Co.*, No. 11-CV-44 (BAJ) (CN), 2011 WL 5513181, at *2 (M.D. La. Nov. 10, 2011) (finding that "a request for 'any and all documents' relating to a particular subject is overbroad and amounts to little more than a fishing expedition"); *Badr v. Liberty Mutual Grp., Inc.*, No. 06-CV-1208, 2007 WL 2904210, at *3 (D. Conn. Sept. 28, 2007) (finding request for "any and all" documents "overly broad")…

All Defendants are reminded that, because Greer is proceeding *pro se* and is not an attorney, they should be both reasonable and pragmatic in their pursuit of documents in this case."

Plaintiff objects on the grounds that this is public information as well as irrelevant and not likely to lead to the discovery of admissible evidence.

REQUEST No. 71:

All documents concerning whether Plaintiff's license to practice medicine has ever been revoked, suspended or terminated.

RESPONSE:

No such documents exist.

REQUEST No. 72:

All documents concerning any professional complaint(s) lodged against Plaintiff, and/or professional discipline considered, proposed or taken with respect to Plaintiff, including reprimand, censure, sanction, revocation of a license, or any other punishment or penalty.

RESPONSE:

No such documents exist.

REQUEST No. 73:

Unredacted and unedited versions of all documents attached to the Corrected Amended Complaint.

RESPONSE:

Plaintiff objects to Request for Production No. 73 on the grounds that it is overly broad, unduly burdensome, is public record or in the possession of the defendants, and is not reasonably calculated to lead to the discovery of admissible evidence.

Dated: New York, New York
February 1, 2017

Sincerely

Steven Greer

STEVEN GREER
4674 Tatersall Court
Columbus, Ohio 43230
(212) 945-7252
Steve@batterypark.tv

To: The BPCA defendants' lawyers of Sher Tremonte LLP and the real estate lawyers of Rosenberg & Estis P.C.